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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/064,315  | 07/02/2002  | Jun Haneda           | AT-0026US           | 6417             |
| 23419   | 7590        | 09/27/2005           | EXAMINER            |                  |
| COOLEY GODWARD, LLP<br>3000 EL CAMINO REAL<br>5 PALO ALTO SQUARE<br>PALO ALTO, CA 94306 |             |                      | WINDER, PATRICE L   |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2145                |                  |

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/064,315             | HANEDA, JUN         |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Patrice Winder         | 2145                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 02 July 2002.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-14 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9-12-02.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Specification***

1. The abstract of the disclosure is objected to because “SNMP” is misspelled on paragraph [36]. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Miyake et al., USPN 6,789,090 B1 (hereafter referred to as Miyake).

4. Regarding claim 1, Miyake taught a management apparatus for managing a plurality of interconnecting devices which interconnects communication (column 5, lines 31-40), comprising:

a command storage unit for storing one or more execution procedures, which correspond to a common command to the interconnecting device and process the command for the respective interconnecting devices (column 6, lines 29-40);

an execution unit connecting to said command storage unit for executing the command for one of the plurality of interconnecting devices, by fetching the execution

procedure corresponding to the command for said one of the interconnecting devices from said command storage unit (column 12, lines 31-41), and for communicating with said one of the interconnecting devices in accordance with the execution procedure (column 12, lines 42-46).

5. Regarding dependent claim 2, Miyake taught said execution unit establishes VLAN to said one of the interconnecting devices by executing the command for said one of the interconnecting devices (column 13, lines 44-55, column 17, lines 51-67, column 18, lines 17).

6. Regarding dependent claim 3, Miyake taught said execution unit either creates the VLAN to said one of the interconnecting devices or deletes the VLAN from said one of the interconnecting devices, by executing the command for said one of the interconnecting devices (column 13, lines 44-55, column 17, lines 51-67, column 18, lines 17).

7. Regarding dependent claim 4, Miyake taught said execution unit either adds a communication apparatus to the VLAN set to said one of the interconnecting devices or deletes a communication apparatus from the VLAN set to said one of the interconnecting devices, by executing the command for said one of the interconnecting devices (column 13, lines 44-55, column 17, lines 51-67, column 18, lines 17).

8. Regarding dependent claim 5, Miyake taught further comprising a fetch unit for fetching the execution procedure of said one of the interconnecting devices from said one of the interconnecting devices, and for storing the fetched execution into said command storage unit (column 19, lines 46-54, column 20, lines 20-22).

9. Regarding dependent claim 6, Miyake taught wherein said one of the interconnecting devices stores the execution procedure in MIB (management information base) of SNMP (simple network management protocol), and said fetch unit fetches the execution procedure from MIB of said one of the interconnecting devices using SNMP (column 19, lines 46-54, column 20, lines 20-22).

10. Regarding dependent claim 7, Miyake taught wherein, the case where the execution procedure includes a procedure of fetching an address of an interconnecting management apparatus for managing said one of the interconnecting devices (column 10, lines 41-55), said execution unit fetches the address of the interconnecting management apparatus from said one of the interconnecting devices (column 20, lines 10-15), and said execution unit manages said one of the interconnecting devices through the interconnecting management apparatus, according to the execution procedure of the command, by communicating with the interconnecting management apparatus using the address (column 18, lines 1-18).

11. The language of claims 8-14 is substantially the same as previously rejected claims 1-7. Therefore, claims 8-14 are rejected on the same rationale as previously rejected claims 1-7, above.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McCloghrie et al., USPN 6,035,105: taught a network administration workstation 203

that can create, delete, suspend or resume a VLAN;

Berlovitch et al., USPN 6,061,334: taught a virtual network server (VNS) that assigns VLANS, configurations are implemented by assigning ports to VLAN;

Spring, USPN 6,549,943 B1: taught a method and apparatus for creating and storing information that defines one or more network devices for user with a network management system using SNMP and MIBs;

Vijay P. Kumar et al., EP 0 682 429 A2: SNMP for management network devices;

Dr V. Rajaravivarma, Virtual Local Area Network Technology and Applications: taught a variety of ways to create VLANs;

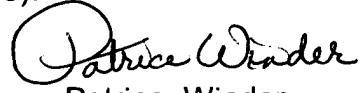
B. Gruschke et al., Managing Groups in Dynamic Networks: taught VLANs are groups forming distinct logical Local Area Network (LAN) segments (generally at the physical and data link layers) on top of a single physical network; and

Jim Duffy, Cisco to lay VLAN cards on the table: taught Cisco's VLAN Director is a management application that picks up configuration discrepancies and reports them to switches participating in VLAN establishment via Simple Network Management Protocol SET commands.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patrice Winder  
Primary Examiner  
Art Unit 2145

September 19, 2005